## Case 2:08-cr-20520-DML-MKM ECF No. 609, PageID.2504 Filed 10/18/22 Page 1 of 4

PROB 12C (Rev. 08/18)

## VIOLATION REPORT PART 1: PETITION FOR WARRANT

U. S. Probation Office
Eastern District of Michigan

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PACTS 29801

DATE 10/18/2022

	08-CR-20520-04
/	 JUDGE

ORIGINAL SENTENCE DATE  05/27/2009  COMMENCED  06/14/2022  EXPIRATION  06/13/2032	Supervision type Supervised Release	CRIMINAL HISTORY CATEGORY VI	TOTAL OFFENSE LEVEL 39	
ASST. U.S. ATTORNEY Mark Bilkovic		DEFENSE ATTORNEY To Be Determined		



TO ISSUE A WARRANT

## ORIGINAL OFFENSE

Count 1: 21 U.S.C. §§ 846 and 841(a)(1), Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine, 5 Kilograms or More

Count 2: 21 U.S.C. §§ 846 and 841(a)(1), Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine Base, 50 Grams or More

Count 26: 21 U.S.C. §§ 843(b) and 846, Conspiracy to Unlawfully Use a Communication Facility to Commit a Drug Trafficking Offense

## SENTENCE DISPOSITION

Custody of the Bureau of Prisons for a term of 216 months on Counts 1, 2, and 48 months on Count 26, all to run concurrently, to be followed by a 120-month term of supervised release on Counts 1 and 2 and a 12-month term of supervised release on Count 26, to run concurrently.

Sentence Reduction: May 26, 2020

Order Regarding Motion for Sentence Reduction, pursuant to 18 U.S.C. § 3582(c)(2), custodial sentence was reduced to 216 months on Count 1, 180 months on Count 2, and 48 months on Count 26, all to run concurrently, to be followed by a 120-month term of supervised release on Counts 1 and 2 and a 12-month term of supervised release on Count 26, to run concurrently. All other conditions of the original judgment remain in full force and effect.

Amended Sentence: June 2, 2022

Correction of Sentence on Remand, pursuant to 18 U.S.C. § 3742(f)(1) and (2), 180 months on Count 1, 180 months on Count 2, and 48 months on Count 26, to be served concurrently, to be followed by a 120-month term of supervised

Page 2 of 4 PROB 12C VIOLATION REPORT PART 1: PACTS DATE U. S. Probation Office (Rev. 08/18) Eastern District of Michigan 29801 10/18/2022 PETITION FOR WARRANT NAME OFFICER JUDGE DOCKET # WALKER, Keith Seth M. Martin David M. Lawson 08-CR-20520-04 release on Counts 1 and 2 and a 12-month term of supervised release on Count 26, to be served concurrently. All other conditions of the original judgment remain in full force and effect. ORIGINAL SPECIAL CONDITIONS 1. The defendant shall participate in a program approved by the probation department for mental health counseling, if necessary. 2. The defendant shall participate in a program approved by the probation department for substance abuse which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol. 3. The defendant shall be lawfully and gainfully employed on a full-time basis, or shall be seeking such lawful, gainful employment on a full-time basis. "Full-time" is defined as 40 hours per week. In the event that the defendant has part-time employment, he/she shall devote the balance of such 40 hours per week to his/her efforts of seeking additional employment. The defendant shall not possess or use any pager, cellular telephone or other portable electronic communication device. This condition is designed to discourage the defendant from possessing or using tools of the trade of the drug dealer. There may be reasonable exceptions created by the probation officer for work-related purposes, but other than that, the probation is absolute during the term of supervised release. The defendant shall not use or possess alcohol in any consumable form, nor shall the defendant be in the social company of any person who the defendant knows to be in possession of alcohol or illegal drugs or visibly affected by them. The defendant shall not be found at any place that serves alcohol for consumption on the premises with the exception of restaurants. Criminal Monetary Penalty: Special Assessment \$300.00 (Paid). The probation officer believes that the offender has violated the following conditions of Supervised Release: VIOLATION NUMBER NATURE OF NONCOMPLIANCE Violation of Mandatory Condition: "YOU MUST NOT COMMIT ANOTHER FEDERAL, 1 STATE, OR LOCAL CRIME." On August 27, 2022, Washtenaw County (Michigan) Sheriff's deputies conducted a traffic stop on a black Ford Explorer for an equipment violation. The driver of the vehicle and sole occupant, KEITH WALKER, was contacted by the deputies. There was a bottle of liquor on the front passenger seat in a paper bag and the seal was broken. WALKER advised that he did not have a driver's license and was placed under arrest for Operators License Never Acquired. Based on the open liquor bottle, deputies conducted a probable cause search of the vehicle. Deputies recovered a P80 9mm handgun with an extended magazine containing twenty-nine (29) rounds of 9mm ammunition. It should be noted that the position of the handgun under the front passenger seat was consistent with being put under the passenger seat by the driver. The handgun's serial number found to be stolen out of Sumpter Township, Michigan, through the Law Enforcement Information Network (LEIN). WALKER was Mirandized and stated that the gun was not his but

he knew whose it was. WALKER stated that he gave a friend a ride and his friend must have left

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it in the vehicle. WALKER stated that he had no knowledge of the gun in the vehicle. The deputy allowed WALKER to call the friend listed in his cell phone as, "Keyshaun." WALKER tried to get "Keyshaun" to claim ownership of the handgun and he hung up. The patrol car's back seat camera footage was recording at the time of the vehicle search. According to the arrest report, at the six minute, ten second (6:10) time stamp, WALKER can be seen saying to himself, "Damn, I should have left that gun at home." WALKER was transported to the Washtenaw County Jail and denied lodging due to high blood pressure. WALKER was then transported to Trinity Health Hospital and admitted to the hospital for high blood pressure and high blood sugar. Due to staffing shortages, the deputies released WALKER to Trinity Health for treatment. After receiving treatment, hospital staff released WALKER. At this time, formal charges are pending.

Violation of Special Condition: "THE DEFENDANT SHALL NOT POSSESS OR USE ANY PAGER, CELLULAR TELEPHONE OR OTHER PORTABLE ELECTRONIC COMMUNICATION DEVICE. THIS CONDITION IS DESIGNED TO DISCOURAGE THE DEFENDANT FROM POSSESSING OR USING TOOLS OF THE TRADE OF THE DRUG DEALER. THERE MAY BE REASONABLE EXCEPTIONS CREATED BY THE PROBATION OFFICER FOR WORK-RELATED PURPOSES, BUT OTHER THAN THAT, THE PROBATION IS ABSOLUTE DURING THE TERM OF SUPERVISED RELEASE."

WALKER was authorized by this officer to have a cell phone for employment purposes and for contact with the probation officer.

According to the arrest report, a search of WALKER'S cell phone was conducted. It should be noted that according to the arrest report, "Pole," is a common slang term for a firearm. The following text messages were found between WALKER and "Keyshaun":

July 30, 2022, at 1:32 p.m.

Keyshaun to WALKER: "where my pole we going to the park today."

August 12, 2022, at 6:34 p.m.

Keyshaun to WALKER: "going to grab my pole", "u locking the door and sh\*t" WALKER to Keyshaun: "u can get it tomorrow what's wrong something going on."

Violation of Special Condition: "THE DEFENDANT SHALL NOT USE OR POSSESS ALCOHOL IN ANY CONSUMABLE FORM, NOR SHALL THE DEFENDANT BE IN THE SOCIAL COMPANY OF ANY PERSON WHO THE DEFENDANT KNOWS TO BE IN POSSESSION OF ALCOHOL OR ILLEGAL DRUGS OR VISIBLY AFFECTED BY THEM. THE DEFENDANT SHALL NOT BE FOUND AT ANY PLACE THAT SERVES ALCOHOL FOR CONSUMPTION ON THE PREMISES WITH THE EXCEPTION OF RESTAURANTS."

PROB 12C (Rev. 08/18) VIOLATION REPORT PART 1: PETITION FOR WARRANT			U. S. Probation Office Eastern District of Michigan  PACTS 29801			DATE 10/18/2022
	WALKER, Keith OFFICER Seth M. Martin			JUDGE David M. Lawso	DOCKET# 08-CR-20520-04	
	On August 27, 2 vehicle he was	2022, WALKER was in driving.	n posse	ssion of an open li	iquor bottle	
I deci	are under penalty of perjury that the foregoin	g is true and correct.	DISTRIBU	TION		
s/Seth M. Martin/tmg/lat 313 234-5456		Court				
SUPERVISING PROBATION OFFICER		PROBATION ROUTING				
s/Marc W. Calandra 313 234-5131		Data Entry				
TH	E COURT ORDERS:					
M	The Issuance of a Warrant.					
[]	Other					
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			Unit	ed States District.	Judge	
			0	ctober 18,	200	
			Date			